None of the references render obvious applicants' isolation of the cloned DNA sequence of the RAR- $oldsymbol{eta}$  gene as the skilled artisan relying on the disclosures of Petkovich et al., Hauptmann et al., and Krust et al. would not have reasonably expected to isolate the gene encoding a receptor having the characteristics of the RAR- $\beta$  receptor. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

In view of the foregoing, it is believed that the present application is now in condition for allowance and such notification is courteously solicited.

If there are any other fees due in connection with the filing of this amendment, the Commission is authorized to charge any such fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER

By:

Kenneth J./ Mevers Reg. No. 25,146

Dated: January 7, 1993

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